

E-filed 12/2/05

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LESLIE A. VIETS

Plaintiff,

v.

PEBBLE BEACH COMPANY, INC, et al.,

Defendants.

Case No. C04-02941

ORDER TO SHOW CAUSE

On November 30, 2005, defendants' counsel, Tom E. Wilson, filed a case status report in response to this court's clerk's notice of November 15, 2005. Mr. Wilson represented that this case has been resolved through binding arbitration.

Therefore, on or before **December 15, 2005**, the parties shall file a dismissal pursuant to Fed. R. Civ. P. 41(a). If a dismissal is not filed by the specified date, the parties shall appear in Courtroom 2, 5th Floor of the United States District Court, 280 South First Street, San Jose, CA 95113 on **January 3, 2006 at 10:00 a.m.** and show cause, if any, why the case should not be involuntarily dismissed pursuant to Fed. R. Civ. P. 41(b). The parties shall file a joint statement in response to this Order to Show Cause no later than **December 27, 2005**. The statement shall state (1) the status of the activities of the parties in finalizing settlement; and (2) how much additional time, if any, is requested to finalize the settlement and file the dismissal.

1 If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be
2 automatically vacated and the parties need not file a statement in response to this order.

3 **IT IS SO ORDERED.**

4 Dated: 12/2/05

/s/ Howard R. Lloyd
HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

1 THIS IS TO CERTIFY THAT A COPY OF THIS NOTICE WILL BE SENT TO:

2 Robert C. Burlison rcbbandl@pacbell.net

3 Christine E. Lyon clyon@mofo.com

4 * Counsel are responsible for providing copies of this order to co-counsel.

5 Dated: 12/2/05

/s/ RNR

Chambers of Magistrate Judge Howard R. Lloyd